



Littler Mendelson, PC  
290 Broadhollow Road  
Suite 305  
Melville, NY 11747

**MEMO ENDORSED**

Matthew R. Capobianco  
631.247.4736 direct  
631.247.4700 main  
mcapobianco@littler.com

May 22, 2024

Application GRANTED. The Clerk's Certificate of Default is VACATED and Defendant Pelican HK Inc.'s time to answer, move, or otherwise respond to the Complaint is extended to **June 21, 2024**. The Clerk of Court is directed to terminate ECF No. 18.

VIA ECF

Honorable Jessica G. L. Clarke  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Dated: May 23, 2024  
New York, New York

SO ORDERED.

A handwritten signature in blue ink that reads "Jessica Clarke".

JESSICA G. L. CLARKE  
United States District Judge

Re: *Derek Mullins v. Pelican HK Inc. et al.*  
Case No. 24-cv-00799 (JGLC)

Dear Judge Clarke:

This office was just retained to represent Defendant Pelican HK Inc. ("Defendant") in the above-referenced matter. We write, with the consent of Plaintiff's counsel, to respectfully request that: (1) the Clerk's Certificate of Default be vacated or otherwise set aside; and (2) Defendant's answer/response deadline be extended to June 21, 2024.

Due to an administrative error, Defendant failed to timely respond to the Complaint. The undersigned discussed the error with Plaintiff's counsel and Plaintiff's counsel has consented to the request that the Clerk's Certificate of Default be vacated and that Defendant's time to respond to the Complaint be extended to June 21. The vacating of the Clerk's Certificate of Default is warranted here because it is being requested on consent from Plaintiff's counsel, the parties are attending mediation and/or engaged in meaningful settlement discussions, and there is otherwise no prejudice to Plaintiff or co-Defendant. Similarly, Defendant's extension of time request does not affect any other deadlines or otherwise interfere with the progression of the litigation.

We thank the Court for its consideration and attention to our request.

Respectfully submitted,

*/s/ Matthew R. Capobianco*

Matthew R. Capobianco  
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